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*Attorneys for GOOGLE LLC*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

GOOGLE LLC,

Plaintiff,

vs.

SONOS, INC.,

Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559

**DECLARATION OF MARC KAPLAN IN  
SUPPORT OF GOOGLE LLC'S MOTION  
TO STRIKE PORTIONS OF THE  
EXPERT REPORTS OF DOUGLAS  
SCHMIDT**

1 I, Marc Kaplan, declare and state as follows:

2 1. I am an attorney licensed to practice in the State of Illinois and have been admitted *pro*  
3 *hac vice* in this matter. I am a partner at Quinn Emanuel Urquhart & Sullivan LLC representing  
4 Google LLC (“Google”) in this matter. I make this declaration in support of Google’s Motion to  
5 Strike Portions of the Expert Reports of Douglas Schmidt (“Motion to Strike”). If called as a witness,  
6 I could and would testify competently to the information contained herein.

7 2. Google served the opening expert report of Dr. Samrat Bhattacharjee, in which he  
8 opined that the asserted claims of the ’033 patent were invalid, on November 30, 2022.

9 3. On January 13, 2023, the parties exchanged reply expert reports, including reply  
10 reports from Dr. Schmidt on infringement and Dr. Bhattacharjee on invalidity.

11 4. Attached as Exhibit 1 is a true and correct copy of Sonos, Inc.’s (“Sonos”) November  
12 28, 2022 supplemental infringement contentions.

13 5. Attached as Exhibit 2 is a true and correct copy of the Opening Report of Douglas C.  
14 Schmidt dated November 30, 2022.

15 6. Attached as Exhibit 3 is a true and correct copy of the Rebuttal Expert Report of  
16 Douglas C. Schmidt dated January 13, 2023.

17 7. Attached as Exhibit 4 is a true and correct copy of the Rebuttal Expert Report of  
18 Samrat Bhattacharjee Regarding Non-Infringement of U.S. Patent No. 10,779,033 and Other Issues  
19 dated January 13, 2023.

20 8. Attached as Exhibit 5 is a true and correct copy of the Reply Expert Report of Douglas  
21 C. Schmidt dated January 23, 2023.

22 9. Attached as Exhibit 6 is a true and correct copy of Attachment A to Sonos, Inc.’s  
23 Second Supplemental Responses and Objections to Google’s First Set of Interrogatories dated  
24 February 4, 2022.

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1 I declare under penalty of perjury that to the best of my knowledge the foregoing is true and  
2 correct. Executed on January 27, 2023, in Chicago, Illinois.

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4 DATED: January 27, 2023

5 By: /s/ Marc Kaplan  
6 Marc Kaplan  
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**ATTESTATION**

I, Charles K. Verhoeven, am the ECF user whose ID and password are being used to file the above Declaration. In compliance with Civil L.R. 5-1(h)(3), I hereby attest that Marc Kaplan has concurred in the aforementioned filing.

/s/ Charles K. Verhoeven

Charles K. Verhoeven